

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Miyano Machinery USA Inc.,	)	
	)	
Plaintiff,	)	
	)	Civil Action No. <b>08 C 526</b>
v.	)	
	)	Hon. Virginia Kendall
MiyanoHitec Machinery, Inc.,	)	
Thomas ("Tom") Miyano, a/k/a	)	Magistrate Judge Nolan
Toshiharu Miyano and Steven Miyano,	)	
a/k/a Shigemori Miyano,	)	
	)	
Defendants	)	<b>JURY TRIAL DEMANDED</b>
<hr style="width: 50%; margin-left: 0;"/>		
	)	
MiyanoHitec Machinery, Inc.,	)	
Thomas ("Tom") Miyano, a/k/a	)	
Toshiharu Miyano and Steven Miyano,	)	
a/k/a Shigemori Miyano,	)	
	)	
Counterclaim-Plaintiffs	)	
	)	
v.	)	
	)	
Miyano Machinery USA Inc. and	)	
	)	
Counterclaim-Defendants	)	
	)	
Miyano Machinery Inc.,	)	
	)	
Third-Party Defendants	)	

**NOTICE OF MOTION**

**To:**

Geoffrey A. Baker  
Geoffrey D. Smith  
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PLEASE TAKE NOTICE, that on **Wednesday, June 18, 2008** at 9:00 a.m. or as soon thereafter as counsel may be heard in the above-captioned action, Plaintiff, Miyano Machinery USA Inc., shall appear before Honorable Judge Kendall in the courtroom usually occupied by her, or before any Judge sitting in her stead, and shall then and there present the motion entitled **Plaintiff's Motion to Strike Portions of Defendants' Motion in Response to Motion for Preliminary Injunction (Document No. 117)**.

Respectfully submitted,

Dated: June 12, 2008

/s/ Louis Alex  
Edward D. Manzo  
Joel Bock  
Louis J. Alex  
Jason R. Smalley  
Attorneys for Plaintiff

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### CERTIFICATE OF SERVICE

The undersigned declares that he/she is over the age of 18 years, not a party to this action, and employed in the County of Cook, by Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd., Attorneys at Law, 200 West Adams Street, Suite 2850, Chicago, Illinois 60606.

On the date listed below, I caused the filing of the foregoing **Notice of Motion** with all its attachments and exhibits. I caused the service of these aforementioned documents on the following individuals, as addressed below, by the means indicated, and on the date listed below:

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  X   (BY ELECTRONIC MEANS) I caused this document to be electronically mailed (emailed) to Vernon W. Francissen, at the address shown above.

  X   (BY ELECTRONIC MEANS) I cause each such document to be sent by electronic means through the Electronic Court Filing system to Nancy Sasamoto, Steven Katz, George H Kobayashi, Geoffrey A. Baker, Geoffrey D. Smith and Robert M. Karton at the address shown above, pursuant to LR 5.9.

Executed on June 12, 2008 at Chicago, Illinois.

Signed:       /s/ Louis Alex